

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>JACKIE FISHER</b>	§	
<b>Plaintiff,</b>	§	
	§	
<b>vs.</b>	§	<b>CIVIL ACTION NO. 4:08-CV-01273</b>
	§	
	§	<b>Jury Demanded</b>
	§	
<b>UNIVERSITY OF TEXAS</b>	§	
<b>MEDICAL BRANCH and</b>	§	
<b>DAVID WATSON</b>	§	
<b>Defendants.</b>	§	

**TABLE OF CONTENTS  
FOR PLAINTIFF'S APPENDICES**

**APPENDIX I**

Exhibit 1 Declaration of Jackie Fisher (Dec. 14, 2009).

**APPENDIX II**

Exhibit 2 Deposition Jackie Fisher (August 26, 2009).

**APPENDIX III**

Exhibit 3 Deposition of David Watson (August 28, 2009).

**APPENDIX IV**

Exhibit 4 Deposition of Mary Gotcher (August 27, 2009).

**APPENDIX V**

Exhibit 5 Fisher Position Announcements.

Exhibit 6 E-mail re Watson's Resignation (Oct. 11, 2006).

Exhibit 7 E-mail Exchange re Pipkin and Drake (Feb. 2005).

Exhibit 8 E-mail Exchange re Parker, Brophy, and Wright (April 19, 2005).

- Exhibit 9 E-mail to Watson re Equal treatment of white and African American Assistant Nurse Managers (May 18, 2005).
- Exhibit 10 Memo Watson to Gotcher re Request for Agency Staff (July 25, 2005).
- Exhibit 11 E-mail Watson to Gotcher, Radar & Melton (Jan. 9, 2006); Notice to Staff of Meetings (Jan. 9, 2006).
- Exhibit 12 Fisher's Hostile Environment Grievance against Watson (April 10, 2006).
- Exhibit 13 E-mail from Watson to Wright re Ford (Jan. 5, 2006).
- Exhibit 14 Gotcher Meeting Agenda and attendance (Mar. 8, 2006).
- Exhibit 15 E-mail Exchange between Fisher and Watson (March 27, 2006).
- Exhibit 16 E-mail from Watson to Fisher (Apr. 3, 2006).
- Exhibit 17 Notice of Intent to Demote (April 11, 2006).
- Exhibit 18 Fisher's 2<sup>nd</sup> Harassment and Hostile Environment Grievance against Watson (April 11, 2006).
- Exhibit 19 Appeal of Demotion (April 24, 2006).
- Exhibit 20 Radar letter to Fisher Re Demotion (April 12, 2006).
- Exhibit 21 Watson Letter re demotion to Assistant Nurse Manager (May 2, 2006).
- Exhibit 22 Fisher Appeal of Demotion to Assistant Nurse Manager (May 11, 2006).
- Exhibit 23 EEOC Intake Questionnaire (Apr. 24, 2006).
- Exhibit 24 EEOC Charge (June 2, 2006).
- Exhibit 25 Letter of Expectation from Roddey (June 26, 2006).
- Exhibit 26 Position Description for Assistant Nurse Manager at Wynne (June 28, 2006).
- Exhibit 27 Pemberton Letter to Fisher re OEO &D (June 26, 2006).
- Exhibit 28 Appeal of Demotion to Pemberton (July 3, 2006).
- Exhibit 29 UTMB Position statement to the EEOC (Aug. 8, 2006).

## **APPENDIX VI**

- Exhibit 30 Fisher's Quarterly Evaluation (March 7, 2006).
- Exhibit 31 Historical Detail Turnover Report 2005 & 2006.
- Exhibit 32 UTMB CMC Executive Summary August 2006.
- Exhibit 33 Vacancy Rates Watson's District Facilities 2005-2006.
- Exhibit 34 Fisher Letter to Radar re Time Frames for grievance Responses ( April 24, 2006).
- Exhibit 35 Watson Letter to Nurse Darby sustaining grievance against Fisher purportedly filed March 3, 2006 (April 24, 2006).
- Exhibit 36 Letter from Nurse Sarah Benavides re 2004 Incident (April 11, 2006).
- Exhibit 37 Fisher's Meeting Agendas Estelle Unit (2005 & 2006).
- Exhibit 38 Kim Roddey's Meeting Agendas Wynne Unit (2005 & 2006).
- Exhibit 39 Fisher's Letter to Radar re Time frames for Grievances and Appeal (May 3, 2006).
- Exhibit 40 UTMB Grievance Policy IHOP 3.10.3.
- Exhibit 41 UTMB Appeals Policy IHOP 3.10.2.
- Exhibit 42 UTMB Discipline & Dismissal Policy IHOP 3.10.1.
- Exhibit 43 Fisher Discrimination Grievance (Sept. 11, 2006).
- Exhibit 44 Fisher Retaliation Grievance (Oct. 9, 2006).
- Exhibit 45 Watson's Responses to OEO&D (Dec. 2006).
- Exhibit 46 Melvin Williams OEO&D Findings re Fisher's Discrimination Complaints (February 7, 2007).

## **APPENDIX VII**

- Exhibit 47 Pemberton Letter re back pay (March 9, 2007).
- Exhibit 48 Demotion Letter from Gotcher (March 21, 2007).

- Exhibit 49 Watson Letter of Expectation (Sept. 17, 2004).
- Exhibit 50 Notice of Peer Review (March 21, 2005).
- Exhibit 51 UTMB Peer Review Policy (Aug. 1995).
- Exhibit 52 BNE Letter (May 19, 2005).
- Exhibit 53 Fisher Response (July 8, 2005).
- Exhibit 54 BNE Letter (Oct. 18, 2005).
- Exhibit 55 Death Summary (Dec. 15, 2005).
- Exhibit 56 BNE Letter (Jan. 13, 2006)
- Exhibit 57 Fisher Response (February 10, 2006).
- Exhibit 58 Fisher Response to BNE (May 12, 2006).
- Exhibit 59 Agreement to Order of BNE (Nov. 8, 2006).
- Exhibit 60 Final Order of BNE (Dec. 1, 2006).
- Exhibit 61 Fisher Compliance with Course work Requirement (Mar. 23-25 of 2006).
- Exhibit 62 BNE Acknowledgment of Completion of Requirements (March 26, 2007).
- Exhibit 63 First Amended EEOC Charge (April 3, 2007).
- Exhibit 64 UTMB Position Statement (May 14, 2007).
- Exhibit 65 EEOC Letter of Determination Discrimination & Retaliation (November 6, 2007).